

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK

IN RE:

Flour City Bagels, LLC,

Chapter 11

Case No. 16-20213

**STATEMENT THAT PLAN HAS BEEN SUBSTANTIALLY CONSUMMATED
AND MOTION FOR FINAL DECREE**

The statement and motion of Michael H Arnold, Plan Administrator of the debtor herein, respectfully represents:

1. That on August 16, 2017, this Court duly made its Order confirming the Second Modified Second Amended Joint Plan of Reorganization, and directing the execution and consummation of said Plan.

2. Said Plan has been substantially consummated in that:

a) The Plan Administrator has received all required payments under the Plan payable to date.

b) The debtor's 401-k Profit Sharing Plan has been fully audited and all 401-k plan proceeds have been distributed to plan participants or deposited in the State's Unclaimed Property funds as required by law.

c) All bank accounts of the debtor have been closed, except that held by the Plan Administrator.

d) All administrative expenses incurred to date have been paid, including the Plan Administrator's fees, the fees for wrapping up the debtor's 401-k plan, shredding of documents, some nominal wages and all U.S. Trustee fees.

e) Pursuant to Section 4.3.2 of the approved Plan, a distribution of \$125,000.00 has been made to all allowed Class 4 unsecured claimants.

f) The Plan Administrator is currently holding approximately \$8,600.00 on account. Said funds will be used to pay any final outstanding administrative expenses including fees owed to the Office of the United States Trustee and some additional fees and expenses payable to the Plan Administrator. If there are any remaining funds, the Plan Administrator will make an additional distribution of those funds to the allowed Class 4 unsecured claimants before the end of 2019.

3. Pursuant to the terms of the approved Plan, additional sums may be payable to the Plan Administrator over the next eight (8) business quarters, however, such payments are not guaranteed. The Plan Administrator will continue to monitor the case and, if additional payments are received, those funds will be distributed to the allowed Class 4 unsecured claimants.

WHEREFORE, the Plan Administrator, on behalf of the debtor herein, prays that this Court make and enter a Final Decree closing this case.

DATED: May 17, 2019

/s/ _____
Michael H. Arnold
Chapter 11 Plan Administrator